

[*Kim v. University City Science Center*](#), 90-ERA-7 (Sec'y July 26, 1990)

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U.S. DEPARTMENT OF LABOR

SECRETARY OF LABOR
WASHINGTON, D.C.

DATE: July 26, 1990
CASE NO. 90-ERA-7

IN THE MATTER OF

SANG JOO KIM,
COMPLAINANT,

v.

UNIVERSITY CITY SCIENCE CENTER,
RESPONDENT.

BEFORE: THE SECRETARY OF LABOR

ORDER APPROVING SETTLEMENT AGREEMENT
AND DISMISSING COMPLAINT

Only 9, 1990, Administrative Law Judge (ALJ) Robert D. Kaplan issued a Recommended Decision and Order Approving Settlement in this case which arises under the employee protection provision of the Energy Reorganization Act of 1974, as amended (ERA), 42 USC §5851 (1982), and its implementing regulations. A copy of the Settlement Agreement, signed by Complainant, Respondent's Interim President and Chief Executive Officer and the ALJ, is attached to the ALJ's decision. The case is now before me for review. 29 C.F.R. §24.6 (1989).

The Settlement Agreement appears to encompass the settlement of matters arising under various laws, only one of which is the ERA. *See* Settlement Agreement Paras. 1, 5. As stated in *Poulos v. Ambassador Fuel Oil Co. Inc.*, Case No. 86-CAA-1, Secretary's

[The Secretary's] authority over settlement agreements is limited to such statutes as are within [the Secretary's] jurisdiction and is defined by the applicable statute. *See Aurich v. Consolidated Edison Company of New York, Inc.*, Case No. [86-]CAA-2, Secretary's Order Approving Settlement, issued July 29, 1987; *Chase v. Buncombe County, N.C.*, Case No. 85-SWD-4, Secretary's Decision and Order on Remand, issued November 3, 1986.

I have, therefore, limited my review of the agreement to determining whether the terms thereof are a fair, adequate and reasonable settlement of Complainant's allegation that Respondent violated the ERA.

Upon review I find the terms of the agreement, except as limited above, to be fair, adequate and reasonable. I therefore accept the ALJ's recommendation that the settlement be approved. Accordingly, the complaint in this case is DISMISSED with prejudice. Settlement Agreement Para. 2.

SO ORDERED.

Elizabeth Dole
Secretary of Labor

Washington, D.C.